

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

JAMES JOHN PITTMAN,

Plaintiff,

v.

ATTORNEY GENERAL STATE  
OF ALABAMA, *et al.*,

Defendants.

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CASE NO. 3:06-cv-1053-WKW  
(WO)

**ORDER**

On December 6, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is hereby ORDERED that:

1. The Recommendation (Doc. # 5) is ADOPTED in part and REJECTED in part. The court hereby REJECTS the portion of the Recommendation which recommends that the motion for leave to proceed *in forma pauperis* be denied and ADOPTS the Recommendation in all other respects.
2. The motion for leave to proceed *in forma pauperis* filed by the plaintiff on November 6, 2006 (Doc. # 2) is GRANTED.
3. This case is DISMISSED as frivolous within the meaning of 28 U.S.C. § 1915(e)(2)(B)(i).

The appropriate judgment shall be entered.

DONE this 18th day of January, 2007.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE